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November 30, 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Office of the Secretary
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, DC 20554

Re: Ex Parte Presentation in the Matter of Revision of FCC Rules to Ensure Compatibility with Enhanced 911 Emergency Systems – CC Docket No. 94-102 and In the Matter of Petition for Rulemaking of the Ad Hoc Alliance for Public Access to 911 of Amendment of Part 22 of the Commission's Rules to enable a cellular telephone user effective and reliable access to 911 service.

In accordance with the Federal Communications Commission (Commission) requirements, an original and a copy of this letter are provided to the Office of the Secretary. An additional copy is provided to Commission staff attorney Robert Grosh. The Alliance supports and encourages the disclosure of Ex Parte Presentations and welcomes the opportunity to discuss and receive comments from other parties.

The Ad Hoc Alliance for Public Access to 911 ("Alliance") has requested and scheduled an Ex Parte meeting with Commission staff attorney Robert Grosh for November 30, 1995. The purpose of the meeting is to:

- determine the status and timing of the ongoing proceeding – Revision of FCC Rules to Ensure Compatibility with Enhanced 911 Emergency Systems – CC Docket No. 94-102;
- determine the status of the Alliance's Petition for Rulemaking of the Ad Hoc Alliance for Public Access to 911 of Amendment of Part 22 of the Commission's Rules to enable a cellular telephone user effective and reliable access to 911 service dated October 27, 1995. The Alliance is interested in learning if the Commission will open a separate proceeding or combine the petition with CC Docket No. 94-102;

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- position; and
- discuss the possible scheduling of meetings with the Commissioners and Members of Congress regarding the above matters.

Respectfully submitted,

Ad Hoc Alliance for Public
Access to 911

By:

A handwritten signature in black ink, appearing to read "Jim Conran". The signature is fluid and cursive, with the first name "Jim" and last name "Conran" clearly distinguishable.

Jim Conran
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cc: Dan Grosh

Don't block '911' calls

Cellular firms should process emergency appeals

Almost one out of every two owners of cellular phones buy them for emergency purposes. They install them in their cars in the hope that, should an accident or other emergency happen, help can be summoned instantly.

But an alarming trend is occurring. Cellular phone companies are increasingly blocking 911 calls from nonsubscribers and from callers who "roam" outside of their subscriber areas.

In other words, if you dial from your car outside the geographic area covered by the service you subscribe to, your emergency appeal will not be put through or will be routed through a third-party company that asks for your credit card and billing information.

Medical personnel refer to the "golden hour" that often makes the difference between life and death in a serious-injury accident. If medical help does not get to the scene in time, due to a delayed 911 call, it could mean the difference between life and death.

In California alone, there are 60 cellular licensees. To contract with each to provide 911 emergency assistance service would be a consumer's nightmare. It also would be ridiculous. That's why cellular companies set up roaming agreements with each other. If you already have subscribed to a service, you probably have gotten a booklet describing where you can make a call and where you can't because no roaming agreement exists.

Should business or vacation plans lure you out of your territory or should you get confused about where the boundaries are and wander out accidentally, don't expect the mobile phone to be your savior. Blocking of 911 calls can occur even though in California all cellular sub-

scribers pay a monthly surcharge for 911 service.

To compound the issue, the Federal Communications Commission is considering a proposal that requires cellular providers to supply 911 access only to "service initialized" users and "subscribed-to" roamers.

While the problem is not widespread yet, the fear is that, under the proposed rules, cellular carriers could use such language to justify blocking 911 emergency calls from nonsubscribers.

It's already happening. For instance, as a deterrent against fraudulent calls, a Washington, D.C., cellular provider recently announced it would no longer honor its roaming agreement with a New York cellular carrier unless customers first established a separate service agreement with the New York carrier.

Fraudulent calls may be a problem in the industry. But for mobile phone users, the 911 service is critical because they often travel into unfamiliar areas where they don't know local police numbers. They also are more prone to be in emergency situations on the road. To block emergency 911 calls for any reason is altogether unconscionable.

Don't forget, these are public airwaves. The least cellular phone companies can offer in exchange for their profits from selling time on public airwaves is free life-saving 911 calls.

A review by consumer groups of cellular applications filed with the FCC showed that most of the carriers initially promised free 911 access in exchange for their licenses.

The FCC should scrap the proposed rule. It should take this opportunity to insist that mobile phone providers process 911 calls from any mobile unit, regardless of prior service arrangements.

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San Francisco Examiner



Sunday, May 7, 1995 ★ ★

RANDOLPH A. HEARST
President

The 911 hang-up

SAFETY is stressed in advertisements by cellular telephone corporations, such as San Francisco-based Airtouch Communications. A woman is pictured next to her car on a lonely road. The text: "When you're stranded, you have two choices. You can either wait for a nice person to come along, or you can call one."

Maybe. And maybe not.

Uncertainty about unlimited access to 911, the nation's emergency services number, has prompted a vigorous campaign by Consumers First and its Orinda-based founder, Jim Conran, former director of the state Department of Consumer Affairs.

The cellular companies are asking the Federal Communications Commission for the right to block 911 calls by "roamers" — those mobile-phone owners outside their service areas. The companies don't like free service to anyone, particularly freeloaders who don't pay for service but keep phones for possible emergency use.

The 60 companies in California, perhaps in response to Conran's FCC filings, dropped their 911 restrictions. Elsewhere, it's patchwork. The FCC should require all the nation's licensees to handle all 911 calls and be, as they say, nice persons.

EDITORIALS

Guarantee access to 911

Cellular phone firms must not be able to block calls

Almost half of the people who buy cellular phones say they do so primarily for emergency purposes. And cellular phone companies heavily promote their product as a security device.

Unfortunately those ads can be misleading because many cellular firms are thoughtlessly blocking 911 calls from nonsubscribers and from callers who drive outside their subscription areas.

While the Federal Communications Commission is seeking ways to improve public access to 911 service, the cellular phone industry wants authority to limit access to 911 to those who have purchased services directly from a cellular provider.

But in California alone, there are 60 cellular licensees. It would be unfair to ask cellular users to contract with each to provide 911 service, which is why many companies offer roaming agreements with each other.

But there are no guarantees that cellular phone owners will be able to get through to 911 if they travel to a territory outside their service area.

Many cellular companies are canceling roaming agreements. Cellular

One of Washington, D.C., for example, dropped its roaming agreement with the carrier in the New York City area in a misguided attempt to deter theft of service. Bell South's cellular system blocks access calls by all non-subscribers.

Cellular firms say they are blocking 911 access to fight fraud. But they could end up hurting themselves if consumers lose confidence in the security feature of cellular service.

Not only is it bad business practice to block 911 calls, it could cost lives. There is no justification for denying someone the ability to make an emergency call to get assistance for an accident victim, to report a fire or crime in progress or to get quick medical aid in time of need.

Blocking cellular calls deals a severe blow to the 911 service, which should be universal.

It's time for cellular phone companies to act responsibly on their own and remove all barriers to 911 calls throughout the nation.

If they don't, then the FCC should remind them that the public owns the cellular airwaves and that all 911 calls must be transmitted by all services, whether the user has a contract or not. Failure to comply should result in loss of license.

San Antonio Express-News

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Editorials

Assault on 911 calls

There are now more than 20 million cellular telephones in the United States, about half of them, it sometimes seems, belonging to San Antonio motorists.

One of the reasons consumers often cite for having a cellular phone is safety. However, it may come as a surprise to you cellular communicators that cellular phone companies are asking the Federal Communications Commission for the right to block 911 emergency calls by "roamers," callers outside

their service areas.

Thus, should you as a South Texas cellular phone owner be driving through Kentucky, say, and you see a wreck, you might not be able to call 911 on your cellular phone.

This, of course, is patently ridiculous, not to mention potentially dangerous.

The FCC should ignore this petition, and should instead require all the nation's cellular service companies to handle all 911 calls.

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SATURDAY, MAY 13, 1995

Don't block 9-1-1 cellular calls

Cellular telephone companies should put 9-1-1 calls through, no matter who makes them

If disaster strikes, you can go up to any pay telephone and dial 9-1-1. Your ability to summon emergency help does not depend on having the correct change in your pocket.

Why shouldn't the same standard apply to cellular phones? A 9-1-1 call from a cellular phone shouldn't be blocked, even if the caller hasn't paid for cellular service.

Many cellular companies promised to put through all 9-1-1 calls when they originally applied for licenses from the Federal Communications Commission.

But as the FCC considers new rules for enhanced 9-1-1 emergency systems, the Cellular Telecommunications Industry Association has asked the FCC to let the industry off the 9-1-1 hook. It doesn't want to put nonsubscribers' calls through — even if they are calls for emergency help.

The FCC shouldn't grant their wish. Cutting access to 9-1-1 would undermine a far-flung emergency response system that has been one of the gifts of our high-tech age. Quick help for a fire or medical crisis can mean the difference between life and death.

With 20 million cellular phones in use across the country, and millions of calls made every day, 9-1-1 calls are a trickle. The FCC indicates that there are fewer than 260,000 calls to 9-1-1 each day.

Cellular companies' argument that putting 9-1-1 calls through from inactive accounts would invite fraud doesn't hold water. Fraudulent 9-1-1 cellular calls have not been a big problem. David Yardell, state administrator of the 9-1-1 system, says access is a bigger concern than fraud.

Locally, both AT&T Wireless and GTE Mobilnet connect 9-1-1 calls, whether the caller has been paying for service or not. AT&T Wireless would like to stop, though.

The FCC shouldn't allow it. Compared to the public-service obligations imposed on other holders of FCC licenses — TV and radio stations, for example — the cellular industry has been asked to do little in return for its use of the public airwaves.

Without those airwaves, cellular companies would have no product to sell. Connecting all 9-1-1 calls — without requiring people to waste precious seconds giving billing information — is not too much for the public to ask.